

**UNITED STATES DISTRICT COURT**  
**DISTRICT OF NEVADA**

ELBERT WAYNE MANSEL, et al.,

Plaintiff(s),

vs.

CELEBRITY COACHES OF  
 AMERICA, INC., et al.,

Defendant(s).

Case No. 2:13-cv-01497-JAD-NJK

ORDER RE: RESPONSE TO MOTION  
 TO COMPEL

(Docket No. 15)

Pending before the Court is Defendant's renewed motion to compel independent medical examinations. *See* Docket No. 13. The primary issue before the Court is the proper location for Plaintiffs' independent medical examinations. The Court initially denied the motion to compel without prejudice because it failed to discuss the relevant standards or cite to any case law on the issue. *See* Docket No. 12. Defendant then renewed its motion, including a brief discussion regarding authority on the location for independent medical examinations. *See* Docket No. 13 at 5. Unfortunately, Plaintiffs' response was filed without any discussion of the proper standards to be applied nor citation to any relevant authority whatsoever. *See* Docket No. 15.<sup>1</sup> As such, the Court will allow Plaintiffs an opportunity to file an amended response that discusses the relevant standards

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<sup>1</sup> The only authority provided is a block quotation to Nevada Rule of Civil Procedure 35. *See* Docket No. 15 at 2-3. Plaintiffs provide no explanation why that rule applies here notwithstanding that this is federal court and, therefore, the Court generally applies the Federal Rules of Civil Procedure. The Court further notes that the renewed motion also refers to Nevada Rule of Civil Procedure 35, *see* Docket No. 13 at 3, but that appears to be a typographical error as it actually quotes the Federal Rules and later refers to Federal Rule of Civil Procedure 35, *see id.*

1 and case law regarding the proper location for an independent medical examination. That amended  
2 response shall be filed no later than December 13, 2013, and any reply shall be filed no later than  
3 December 20, 2013.

4 IT IS SO ORDERED.

5 DATED: December 11, 2013

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8 NANCY J. KORPE  
9 United States Magistrate Judge  
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